

9319S-000733  
M. Parts +2 Ctr  
Due 10-1-04

JGGS/  
JBEW

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9-13-04

JFW

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/800,130	03/12/2004	Yoshihiro Kobayashi	9319S-000733

CONFIRMATION NO. 6935

27572  
HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. BOX 828  
BLOOMFIELD HILLS, MI 48303

FORMALITIES LETTER



\*OC000000013693053\*

Date Mailed: 09/01/2004

**NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)**

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 08/02/2004 to the Notice to File Missing Parts (Notice) mailed 06/01/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1-4.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

*WJ*

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Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART I - ATTORNEY/APPLICANT COPY



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/800,130
		Filing Date	March 12, 2004
		First Named Inventor	KOBAYASHI
		Art Unit	Not yet assigned
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission		Attorney Docket Number	9319S-000733

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<b>Copy of Notice of Incomplete Reply; Response to Notice of Incomplete Reply; Replacement Drawings (4 sheets; Figs. 1-4); and return postcard</b>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 50-3213. A duplicate copy of this sheet is enclosed.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name G. Gregory Schivley / Bryant E. Wade	Reg. No. 27,382 / 40,344
Signature			
Date	September 10, 2004		

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	G. Gregory Schivley / Bryant E. Wade	Express Mail Label No.	EV 531 989 889 US
Signature		Date	September 10, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/800,130

Filing Date: March 12, 2004

Applicant: KOBAYASHI

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

Title: MEASURING METHOD, MEASUREMENT-SIGNAL  
OUTPUT CIRCUIT, AND MEASURING APPARATUS

Attorney Docket: 9319S-000733

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Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)**

Sir:

The Notice of Incomplete Reply (Nonprovisional) indicates that the Response to Notice to File Missing Parts filed on August 2, 2004, included neither an English translation with a statement that the translation is accurate, nor Replacement drawings. Applicant respectfully asserts, however, that both the English translation with a statement that the translation is accurate and Replacement drawings were filed with the Response to Notice to File Missing Parts. This is evidenced by the returned postcard (copy enclosed) that bears the stamp of the Office of Initial Patent Examination (OIPE).

To clarify this situation, a telephonic interview was conducted with the OIPE on September 10, 2004. In the telephonic interview, the OIPE indicated that a copy of the

English translation with a statement that the translation is accurate was received with the Response to Notice to File Missing Parts. Copies of the Replacement drawings, however, could not be located. The OIPE requested, therefore, that only copies of the Replacement drawings be submitted in reply to the Notice of Incomplete Reply (Nonprovisional). As such, Applicant respectfully submits copies of the Replacement drawings as filed with the Response to Notice to File Missing Parts on August 2, 2004.

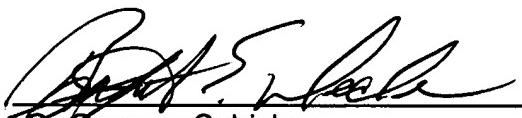
Applicant respectfully asserts that any fee for an extension of time as set forth in 37 C.F.R. § 1.136(a) is not required since, as evidenced by the enclosed copy of the OIPE stamped postcard, Replacement drawings were timely submitted with the Response to Notice to File Missing Parts. In the event that the OIPE takes a contrary position, however, the undersigned hereby authorizes the Commissioner to charge deposit account 50-3213 for any additional fees that may be required.

If the OIPE believes that personal communication will further expedite clarification of this matter, the OIPE is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

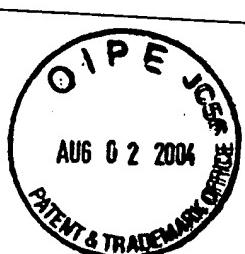
Dated: September 10, 2004

By:

  
G. Gregory Schivley  
Reg. No. 27,382  
Bryant E. Wade  
Reg. No. 40,344

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

GGS/BEW/JAH

Applicant:	Yoshihiro KOBAYASHI	Case No.:	9319S-000733
Serial No.:	10/800,130	Filing Date:	March 12, 2004
Title:	MEASURING METHOD, MEASUREMENT-SIGNAL OUTPUT CIRCUIT, AND MEASURING APPARATUS		
<p>Please acknowledge receipt of:            Transmittal Form with Express Mail Label No. EV 533 145 695            US; Fee Transmittal (in duplicate); Copy of Notice to File            Missing Parts; Replacement Drawings (Figs. 1 - 4); Verification            of Translation; English Translation; Preliminary Amendment;            Executed Oath/Declaration; Information Disclosure Statement;            HDP 1449 Form; along with return postcard.</p>			
EV 533 145 695 US		 <i>USPTO Date Stamp</i>	
By stamping and returning to Harness, Dickey & Pierce, P.L.C. Due: 08/01/2004      Date Mailed: 08/02/2004      Attorney: GGS/BEW			